

UNITED STATES DISTRICT COURT

for the
Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MARK A. NEWKIRK,

Mar 06, 2018

SEAN F. McAVOY, CLERK

Plaintiff

v.

COMMISSIONER OF SOCIAL SECURITY,

Civil Action No. 2:16-CV-410-RMP

Defendant

JUDGMENT IN A CIVIL ACTION

The court has ordered that (*check one*):

☐ the plaintiff (*name*) _____ recover from the
defendant (*name*) _____ the amount of
_____ dollars (\$ _____), which includes prejudgment
interest at the rate of _____ %, plus post judgment interest at the rate of _____ % per annum, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (*name*) _____
_____ recover costs from the plaintiff (*name*) _____

☒ other: The Report and Recommendation (ECF No. 24) is ADOPTED in its entirety. Plaintiff's Motion for Summary Judgment (ECF No. 17) is GRANTED IN PART. Consistent with the analysis of the Report and Recommendation, the Court denies Plaintiff's request for an immediate award of benefits. Defendant's Motion for Summary Judgment (ECF No. 22) is DENIED. The matter is REMANDED to the Commissioner for additional proceedings. Judgment is entered for Plaintiff.

This action was (*check one*):

☐ tried by a jury with Judge _____ presiding, and the jury has rendered a verdict.

☐ tried by Judge _____ without a jury and the above decision was reached.

☒ decided by Judge Rosanna Malouf Peterson _____ on a
Report and Recommendation (ECF No. 24) and Motions for Summary Judgment (ECF Nos. 17 and 22).

Date: 3/6/2018

CLERK OF COURT

SEAN F. McAVOY

s/ Lennie Rasmussen

(By) Deputy Clerk

Lennie Rasmussen